

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TERRANCE LEE,

Petitioner,

v.

**THE COMMONWEALTH OF
PENNSYLVANIA, et al.,**

Respondents.

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Civ. No. 17-3760

ORDER

On July 31, 2017, Petitioner filed this § 2241 Petition (Doc. No. 1) seeking pretrial habeas relief. On November 8, 2017, Magistrate Judge Henry S. Perkin issued a Report and Recommendation (Doc. No. 4) that I dismiss the Petition without prejudice. Petitioner has not filed any objections to the Report and Recommendation.

AND NOW, this 4th day of December, 2017, upon consideration of Magistrate Judge Henry S. Perkin's Report and Recommendation (Doc. No. 4), and after an independent review of Petitioner's § 2241 Petition (Doc. No. 1), it is hereby **ORDERED** as follows:

1. The Report and Recommendation (Doc. No. 4) is **APPROVED** and **ADOPTED**;
2. Petitioner's § 2241 Petition (Doc. No. 1) is **DISMISSED without prejudice** for failing to exhaust state court remedies;
3. A certificate of appealability shall **NOT ISSUE**; and
4. The **CLERK OF COURT** shall **CLOSE** this action.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.